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1		COUNSEL/PARTIES OF RECOR
2	IN THE UNITED STATI	ES DISTRICT COURGT 23
3	FOR THE DISTRIC	CLERK US DISTRICT COURT
4	NITED STATES OF AMERICA,	DISTRICT OF NEVADA  BY:
5	Plaintiff,	
6 N	ALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	vs.	\( \)
W	ALKER RIVER IRRIGATION DISTRICT, corporation, et al.,	<b>)</b>
10	NOTICE OF APPEARANCE ANI	D INTENT TO PARTICIPATE
11	1 I hereby enter my appearance in thi	is sub-proceeding in this case.
12	2. I am filing this document with the	District Court at the following address:
13	•	<del>-</del>
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 30 Reno, Nevada 89501	) <b>1</b>
16	3. In the envelope provided for return	of my Waiver of Service of Notice in Lieu of
17 Su	mmons, I am mailing a copy of this document to	•
18	Susan L. Schneider	
19	Attorney for the United States of A. United States Department of Justice	merica e
20	Environment & Natural Resources P.O. Box 756	
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I an	n acting) will retain all defenses or objections
23 01	he lawsuit or to the jurisdiction or venue of the	court except for objections based on a defect
24 n t	he Notice in Lieu of Summons or in the service	of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am	acting) have retained an attorney to represent
26 me	in these proceedings, I identify that attorney be	elow, along with his or her mailing address,
27 lele	phone number, facsimile number, and e-mail ad	ldress:

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1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11.	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	interior in migrate out and services are services and services are services and services and services and services are services are services and services are ser
15	Veronica a Rowley
16	(Signature)
17	(Signature)
18	Veronica A Rowley
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)  3f FALCON WAY
24	YERINGTON NV 89447
25	(Address) 175 - 230 - 4428
	(Telephone number)
27	( a a a prison a manufact)



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Robert & Ronnie Rowley 38 Falcon Way Yerington NV 89447-9409

Case <sup>C35</sup> F3-7	<b>%-0001277=MMDMCSDocementalifie</b> nt 5	
1.		FILED RECEIVED RECEIVED
		COUNSEL/PARTIES OF RECORD
1	TO THE COURSE AND THE COURSE OF THE COURSE O	1 1
2	FOR THE DISTRICT	<i>i i</i>
3	JNITED STATES OF AMERICA,	CLERY US DISTRICT COURT  DISTRICT OF METALOR
4	Plaintiff,	BY DISTRICT OF NEVADA  DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	VS.	)
8	WALKER RIVER IRRIGATION DISTRICT,	}
9	corporation, et al.,	<b>;</b>
10	NOTICE OF APPEARANCE AND I	NTENT TO PARTICIPATE
11	I hereby enter my appearance in this s	sub-proceeding in this case.
12	2. I am filing this document with the Di	
13	<del>-</del>	odior come at the rolls will address.
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of	f my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	-
18	Susan L. Schneider	
19	Attorney for the United States of Ame United States Department of Justice	erica
20	Environment & Natural Resources Di P.O. Box 756	vision
21	Littleton, Colorado 80160	
. 22	4. I (or the entity on whose behalf I am a	acting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the co	ourt except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of	f the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am a	cting) have retained an attorney to represent
26	ne in these proceedings, I identify that attorney belo	ow, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail add	ress:
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	NOTICE OF APPEARANCE AND INTENT TO PAR	TICIPATE, page 1 of 2

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1	Attorney:
2	
3	Address:
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5	's
6	Phone Number:
7	Fax Number:
8	E-mail Address:
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0	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
.1	1 it also be of this court admitted to participate in a case DIO
.2	"Attorneys who are admitted to the bar of this count, admitted to particle of the particle of the vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
.3	Clerk of the Court and by these electronic Phing Procedures.  Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
4	$\mathcal{Q}$
L5	Dorge Loyce ;
.6 .7	(Signature)
. / L8	GEORGE ROME TR
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	151 Upper Colony Rd. Wellington Nr. 89444
25	(Address)
26	775 901 1574
27	(Telephone number)

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 7 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Unn Ruben	
Date: 10-11-08	Signature Ann Buben	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cy-00127-MMD-CSD Document 5 Filed 12/31/08 Page 8 of 113

1		DISTRICT COURT COURT
2	IN THE UNITED STATES I FOR THE DISTRICT	DISTRICT COURT ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
3	JNITED STATES OF AMERICA,	) <u>P</u> (27)
4	Plaintiff,	AM
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	VS.	
8	WALKER RIVER IRRIGATION DISTRICT,	
9	corporation, et al.,	)
10	NOTICE OF APPEARANCE AND IN	ITENT TO PARTICIPATE
11		
12	1. I hereby enter my appearance in this su	
13	<ol><li>I am filing this document with the Dist</li></ol>	rict Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	·	my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	,
18	•	
19	Susan L. Schneider Attorney for the United States of Amer	rica
20	United States Department of Justice Environment & Natural Resources Div	rision
21	P.O. Box 756 Littleton, Colorado 80160	$v_{i}$
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cou	art except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am ac	ting) have retained an attorney to represent
26	ne in these proceedings, I identify that attorney below	w, along with his or her mailing address,

elephone number, facsimile number, and e-mail address:

#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 9 of 113 Attorney: 1 2 ' Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 ann Ruben 15 16 (Signature) 17 Ann Buben 18 (Printed or typed Name) 19 20 21 (Entity, if any, on whose 22 behalf you are appearing) 23 24 25 (Address) 26 (Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 10 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsu	iit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu	of
Summons or in the service of the Notice in Lieu of Summons	

Date: 9-30-08

Signature
Keith Ruben
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_\_ of (Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case	3:73.62 RES. DIV CO 1	/-0012 <b>7</b> -l	MMD-CSD Document 5 File	ed 12/31/08 Page: 11 of 113
2008 OCT -6	PM 12:24		IN THE UNITED STATES I FOR THE DISTRICT	DIST <b>2008 OCC OF</b> R <b>BM  2: 46</b> OF NEVADA
	3	JNITED ST.	ATES OF AMERICA,	)
•	4		Plaintiff,	
,	5	WALKER R	IVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
•	6		Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
	7	vs.		)
			IVER IRRIGATION DISTRICT,	}
	9	corporation	, et al.,	)
•	10	, <u> </u>	NOTICE OF APPEARANCE AND IN	ITENT TO PARTICIPATE
	11	1.	I hereby enter my appearance in this su	nh-proceeding in this case.
	12	2.	I am filing this document with the Dist	
	13	۷.	Chief Deputy Clerk	and count at an ionothing address.
	14		United States District Court for the District of Nevada	
	15		400 South Virginia Street, Suite 301 Reno, Nevada 89501	
	16	2	·	my Waiver of Service of Notice in Lieu of
	17	3.		my warver or service or routee in Lieu or
	, 18	Summons, I a	am mailing a copy of this document to:	
			Susan L. Schneider	

Susan L. Schneider Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160

- 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections of the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
- 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, elephone number, facsimile number, and e-mail address:

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 12 of 113 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 (Printed or typed Name) 19 20 21 (Entity, if any, on whose 22 behalf you are appearing) 23 24 (Address) 25 26

27

28

(Telephone number)

#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 13 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

#### TO: Susan L. Schneider, attorney for the United States of America

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 5/30/08

Signature

Norman 1. Ruhl

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: 

The Norman and Vivian Ruhl Living Trust

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 14 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: <u>5 - 30 - 200</u> 8	Signature  Printed/Typed Name	
	If you are acting on behalf of any entity, identify tha	it you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 15 of 113

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Case 35.737	&0400162=E9A1A10104 C3004000000	Thent 5 of 113 1/08 Page 16 of 113
		Coclosed are the Accuments for myself and must deceased husband Tay C. Ruic
1	Attomey:	documents for
2		muself and mus
3	Address:	Presed husband
4		I C Ruic
5		Vay C.
6	Phone Number:	
7	Fax Number:	
8	E-mail Address:	المنت. ال
9		the state of the same and the comply with the
10	PLEASE NOTE: Attorneys are re electronic filing procedures of the l	eminded that they are required to comply with the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the	bar of this court, admitted to participate in a case pro o represent the United States and its agencies, shall
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22	ENTERED COUNSEL/PARTIES OF RECOR	(Entity, if any, on whose
23	JUN - 2 2008	behalf you are appearing)
24		
25	CLERK US DISTRICT COURT DISTRICT OF NEVADA BY: DEPU	(Address)
26	BY:DEPU	(Telephone number)
27		(Terephone number)

### Case 9:737 v 00127 F MM 04 C 9 P 4 0 0 1 1 1 3

1	1 Attorney:			
2				
3	3 Address:			
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5	5			
6	6 Phone Number:			
7	7 Fax Number:			
8	8 E-mail Address:			
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.1	"Attorneys who are admitted to the bar of this court, admitted	o participate in a case pro		
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 19 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 11/2//2004 HARD ERNST Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 20 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date:8-7-08

Victoria Anne Schniedeberg
Victoria Anne Schniedeberg

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTee

(Title)

Schmied every FAMILY TRUST (Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 21 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 8-7-08

Signature

Arthur

Schmiedoberg

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE
(Title)
Schmiedeberg Family TRUST

(Corporate Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 22 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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or to the jurisdiction or venue of the Court except for objections based on a def	fect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons	1

Date: 5 28 08

CULIV

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 23 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 5/28/08

Signature

The printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 24 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/15/05

Printed/Typed Name

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

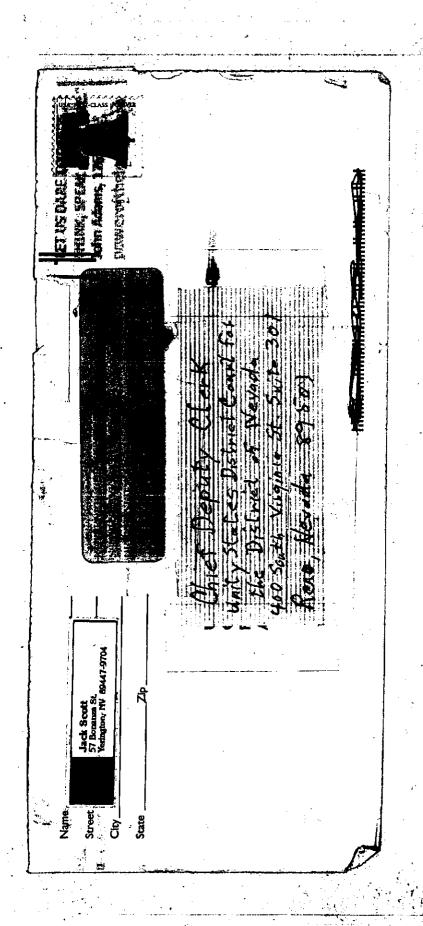
Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case <sup>c</sup> 3:73:7	3v:400127=RANADMCSD:4008tulii77Ent 5	FILED Page 25 of 113
		ENTERED SERVED ON COUNSEL/PARTIES OF RECORD
1		(200)
2	IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT
3	•	CLERK US DISTRICT COURT DISTRICT OF NEVADA
4	UNITED STATES OF AMERICA,	BY: DEPUTY
5	Plaintiff,	)
6	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	vs.	)
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	. )
10	NOTICE OF APPEARANCE AND	INTENT TO PARTICIPATE
11	I hereby enter my appearance in this	sub-proceeding in this case.
12	·	istrict Court at the following address and as
13	directed on the Notice In Lieu of Summons:	
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 30	
16	Reno, Nevada 89501	
17		acting) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the c	court except for objections based on a defect
19	in the Notice in Lieu of Summons or in the service	•
20	-	I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that at	ttorney below, along with his or her mailing
22	address, telephone number, facsimile number, and	e-mail address:
23		
24	Attorney:	
25		
26	Address:	
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	NOTICE OF APPEARANCE AND INTENT TO PAR	RTICIPATE (service), page 1 of 2

# Case<sup>C3</sup>? 3:73 v 000127 F N N P D C S D D C Unit Tent 5 1 1 1 1 1 2 1 3 1 / 0 8 9 2 8 6 1 1 1 3

- 1	
1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
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11	11014
12	Jack a Level
13	Jack of Levit A (Signature)
14	Jack A. Scott
15	
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose
20	behalf you are appearing)
21	
22	(Address)
23	(Telephone number)
24	(**************************************
25	
26	
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ZI	



#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 28/of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: Time 7/08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Corporate Siena

(Corporate, Trust, Partnership or other entity)

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 29 of 113

#### U.S. DEPT. OF JUSTICE ENV. & NAT. RES. DIV. WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO

TO: Susan L. Schneider, attorney for the United States of America

2008 NOV 24 AM 11: 16

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- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-18-08	Signature Signature Signature Signature	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	vou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

#### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

#### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 30 of 113

#### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-27-00

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: \_\_\_\_\_(Title)

(Corporate, Trust, Partnership or other entity)

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 JNITED STATES OF AMERICA, 4 Plaintiff. 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, б SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, 9 corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect In the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 ne in these proceedings, I identify that attorney below, along with his or her mailing address, elephone number, facsimile number, and e-mail address: 27 28

# Case 3:78-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 32 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the har of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Richald J. Lengen
16	(Signature)
17	
18	Richard L. Simpson
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	
25	(Address)
26	(Telephone number)
27	\= <b>r</b>

## Case 3:73 cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 33 of 113

_		•
2		
3	IN THE UNITED STA	ATES DISTRICT COURT
4	FOR THE DIST	RICT OF NEVADA
5	UNITED STATES OF AMERICA,	
6	Plaintiff,	In Equity No. C-125-ECR
7	WALKER RIVER PAIUTE TRIBE,	Subfile No. C-125-B
8	Plaintiff-Intervenor,	DISCLAIMER OF INTEREST IN
9	1	RELATED INFORMATION AND
10	V. )	DOCUMENTATION SUPPORTING DISCLAIMER
11	WALKER RIVER IRRIGATION ) DISTRICT,	
12	a corporation, et al.,	
13	) Defendants. )	
14		<del>-</del>
15		
16		e above action hereby notifies the Court and the
17		on whose behalf the undersigned is acting) has
18	no interest in any water right within the categor	
19	Management Order (Apr. 18, 2000) and, theref	
20	This disclaimer and notice shall be sent to	the following two persons:
2 ]	Linda Lea Sharer, Chief Deputy	Clerk
2	United States District Court for t 400 South Virginia Street, Suite	he District of Nevada 301
:3	Reno, NV 89501	
4	<u>And</u>	
5	Susan L. Schneider	
6	United States Department of Just P.O. Box 756	ice
7	Littleton, CO 80160	
8	In addition, because the undersigned sold	or otherwise conveyed ownership of all of the
	-	

#### Case 3:73 cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 34 of 113

water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once owned before the undersigned was served with a Waiver of Service of Notice in Lieu of Summons or by a Notice in Lieu of Summons, the undersigned provides the following additional information:

1. The name and address of the party or parties who sold or otherwise conveyed ownership:

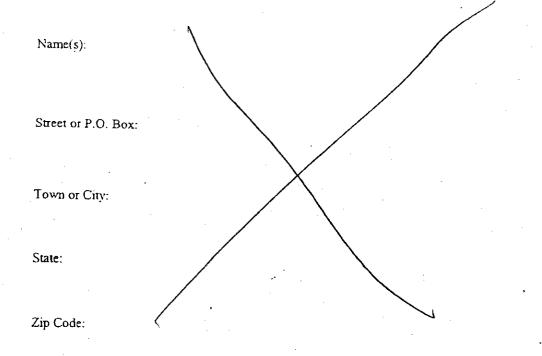
Name(s):

Town or City:

State:

Zip Code:

2. The name and address of each person or entity who acquired ownership



DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 35 of 113

1	
2	
3	3. Attached to or included with this notice is a copy of the (check appropriate
4	box(es)):
5	
6	Deed
7	□ Court Order
8	☐ Other Document.
ė	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
12	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
14	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
5	this litigation.
-6	+h;
7	Executed this 14 day of June 2006
.ε	$\mathcal{O}$
9	
0	
1	CHA. Siglaton
2	[signature of counter-defendant]
3	
4	
5	Charles M. Singleton
6	[name of counter-defendant]
7	
3	Residential property- no water rights involve
	DISCLAIMED OF WATER DIGITIO AND

# Code Table Code Table Re-appraisal Year (2006) Re-appraisal Year (2006) Weighted Year (2006) Bear (2006) Output (2006) Description (2006) Output (2006 Case 3:73-cv-00127-MM



# Parcel Detail for Parcel # 004-382-08

Back to Search List

Secured Tax Inquiry

Sales Data

Personal Property

Assessor Home

		Description	ט-	D-
	Total Acres 1.520	Ag Acres .000	W/R Acres .000	80
		Improvements	)L	SL
-	Single-fam Detached 1	Non-dwell Units 0	Bdrm/Bath 372.00	00
	Single-fam Attached 0	MH Hookups 0	Stories 🤂	)F3
=	Multi-fam Units 0	Wells 1	CU	CU
	Mobile Homes 0	Septic Tanks 1	1111	m
	Total Dwelling Units 1	Bldg Sq Ft 2,016	ei	۵r
	listo() taganayorami	Garage Sq Ft 616	Att	ıt.
		Basement Sq Ft 0	Finished	5 F

Legal Description

Subdivision PANAVISTA EST Lot 30 Block

Property Name

Add'l Addresses Assessor Maps

Location

Property Location 31 PANAVISTA CIR

Town MASON VALLEY

# Code Table Appraisal Classifications

Current Land Use Code 200

Zoning RR1 Re-appraisal Group 3

Orig Constr Year 1999

Mailing Address 31 PANAVISTA CIR YERINGTON, NV 89447-0000 Assessed Owner Name ROSE M

Ownership

Ownership History Document History

> Vesting Doc#, Date 267957 10/31/01 Book/Page / Legal Owner Name ROSE M

Map Document #s

http://www1.lyon-county.org:403/cgi-bin/asw102?Parcel=438208

# Case 3:73 cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 37 of 113

_		
2		· · · · · · · · · · · · · · · · · · ·
3	IN THE UNITED STATES DISTRICT COURT	
4	FOR THE DIST	RICT OF NEVADA
5	UNITED STATES OF AMERICA,	)
6	Plaintiff,	) In Equity No. C-125-ECR
7	WALKER RIVER PAIUTE TRIBE,	) Subfile No. C-125-B
8	Plaintiff-Intervenor,	THE PARTY OF THE P
9	v.	RELATED INFORMATION AND DOCUMENTATION SUPPORTING
11	WALKER RIVER IRRIGATION DISTRICT,	DISCLAIMER
12	a corporation, et al.,	
13	) Defendants. )	
14		
15	There	
16		e above action hereby notifies the Court and the
17		y on whose behalf the undersigned is acting) has
18	no interest in any water right within the categor	
.9	Management Order (Apr. 18, 2000) and, theref	ore, disclaims all interest in this action.
0	This disclaimer and notice shall be sent to	o the following two persons:
1	Linda Lea Sharer. Chief Deputy	Clerk
2	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301	
3	Reno, NV 89501	
4	And	
5	Susan L. Schneider	
6	United States Department of Just P.O. Box 756	ice
7	Littleton, CO 80160	
8	In addition, because the undersigned sold	or otherwise conveyed ownership of all of the
	DISCLAIMER OF WATER RIGHTS AND NOTICE	OF PELATED THEODY MICH

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 38 of 113

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once 2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of 3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following 4 additional information: 5 The name and address of the party or parties who sold or otherwise conveyed 1. 6 ownership: 7 Name(s): 8 9 Street or P.O. Box: 10 11 Town or City: 12 13 State: 14 15 Zip Code: 16 The name and address of each person or entity who acquired ownership 17 18 Name(s): 19 20 21 Street or P.O. Box-22 23 Town or City: 24 25 State: 26 27 Zip Code: 28

DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

### ev-00127-MMD-CSD Document 5 Filed 12/31/08 Page 39 of 113 Case 3:73-c 1 2 Attached to or included with this notice is a copy of the (check appropriate 3. 3 box(es)): 4 5 Deed 6 Court Order 7 Other Document. 8 9 by which the change in ownership was accomplished. 10 The undersigned acknowledges that any person or entity who files a Disclaimer 4. 11 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently, 12 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but, 13 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of 14 this litigation. <del>-</del> 5 16 Executed this 14 day of June 200 6 18 19 20 21 22 23 24

ROSE SINGLETON name of counter-defendant

Residential property only-nowater rights

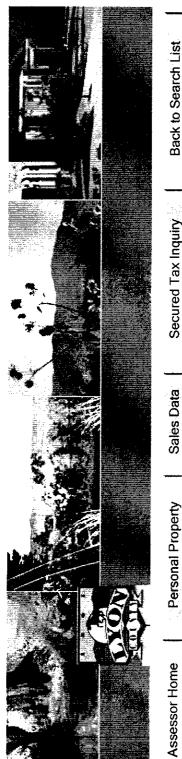
DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 3 of 4

25

26

27

# Case 3:73-cv-00127-MMD-&SD&Document 12/31&8 Partich/Detch 25 Pilled 12/31&8 Partich/Detch 25 Partich/D



Parcel Detail for Parcel # 004-382-08

### Bdrm/Bath 200.00 W/R Acres 600 Bldg Sq Ft 2,016 Ag Acres .000 Non-dwell Units 0 MH Hookups 0 Septic Tanks 1 Wells 1 Improvements Description Total Acres 1.520 Single-fam Attached 0 Multi-fam Units 0 Mobile Homes 0 Total Dwelling Units 1 Single-fam Detached 1

Legal Description

Subdivision PANAVISTA EST Lot 30 Block

Property Name

Add'l Addresses Assessor Maps

Location

Property Location 31 PANAVISTA CIR

Town MASON VALLEY

Garage Sq Ft 616

Basement Sq Ft 0

Improvement Detail

# Appraisal Classifications Current Land Use Code 200 Code Table Zoning RR1 Re-appraisal Group 3 Orig Constr Year 1999 Orig Constr Year 1999

40 of 1

Assessed Owner Name SINGLETON, CHARLES M & SINGLETON, CHARLES M & Mailing Address 31 PANAVISTA CIR YERINGTON, NV 89447-0000

Legal Owner Name ROSE M Vesting Doc#, Date 267957 10/31/01 Book/Page / Map Document #s

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 41 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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•	Enn mingles	
Date:	Signature /	
	<u>Frin M. Singley</u>	
	Printed/Typed Name	•
	If you are acting on behalf of any entity, identify the	hat you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 42 of 113

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Date: 06/40/08

Signature

Printed/Tend No.

I'mnted/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Beaustered Harnt of

mith Valley Hall

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 43 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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Date: 6 - 8-08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Sea, -

(Title)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 JNITED STATES OF AMERICA, 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 elephone number, facsimile number, and e-mail address: 27 28

# Case 3:78-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 45 of 113

TI II	
1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9 :	·
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
11	electronic filing procedures of the U.S. District Court for District of Nevada.
12	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
13	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
14	Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
15	Richard B. Muti
16	Chichard Di July
17	(Signature)
18	
19	Richard B. Nuti
	(Printed or typed Name)
20	
21	Smith Valley Scales Inc
22	(Entity, if any, on whose behalf you are appearing)
23	P.O. Box 63
24	wellington, NV 89444
25	(Address)
26	775 - 465 - 2441 (Telephone number)
27	(1010pilotto ilamoti)

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 46 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I	(or the entity on who	ose behalf I am acti	ng) will retain all	l defenses or obje	ections to the lawsuit
or to the juri	sdiction or venue of	the Court except for	or objections base	ed on a defect in	the Notice in Lieu of
	r in the service of the				

Date: 8-29-8

\_\_FXUMU

Printed Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

•	or containment of boots make in	1104 12/01/00 1 ago 11 01 110
1		
2	IN THE UNITED STATES I FOR THE DISTRICT	
3	UNITED STATES OF AMERICA,	)
4	Plaintiff,	)
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6 7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	vs.	)
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	)
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this su	ub-proceeding in this case.
12	2. I am filing this document with the Dist	-
13	Chief Deputy Clerk	<b>0</b>
14 15	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
17	3. In the envelope provided for return of	my Waiver of Service of Notice in Lieu of
18	Summons, I am mailing a copy of this document to:	
19	Susan L. Schneider Attorney for the United States of Amer	rica
20	United States Department of Justice Environment & Natural Resources Div	
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cou	art except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am act	ting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	w, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail addre	ess:

### cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 48 of 113 Attorney: 1 2 Address: . 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 es Snegder 15 16 (Signature) 17 18 19 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24

(Address)

(Telephone number)

25

26

27

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 49 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125. Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 8-29-08

JUM SI

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1		
2	IN THE UNITED STATES D FOR THE DISTRICT O	
3	JNITED STATES OF AMERICA,	)
4	Plaintiff,	) )
5	WALKER RIVER PAIUTE TRIBE,	) ) IN EQUITY NO. C-125
6		, )
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) )
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	proceeding in this case
12		
13	2. I am filing this document with the Distri	ict Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 17	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of
18	Summons, I am mailing a copy of this document to:	
19	Susan L. Schneider Attorney for the United States of American	ca
20	United States Department of Justice Environment & Natural Resources Divis	
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections
23	o the lawsuit or to the jurisdiction or venue of the cour	rt except for objections based on a defect
24	n the Notice in Lieu of Summons or in the service of the	ne Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acti	ng) have retained an attorney to represent
26	ne in these proceedings, I identify that attorney below	, along with his or her mailing address,
27	elephone number, facsimile number, and e-mail addres	38:
28		
		rarnima nago 1 of 2

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 51 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
10	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
12	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System Registration shall be in the form prescribed by the
13	Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	
15	Ain Angle
16	(Signature)
17	
18	Jim Snyder
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	
25	(Address)
26	(Telephone number)
27	

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 52 of 113

U.S. DEPT. OF JUSTICE ENY. & NAT. RES. DIV. DEMYER, CO

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### 2008 DEC -TO: AM StradL. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

, 1	Frince Sommers.	
Date: $1/25/08$	Signature LINDA Soin MEVS	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 5

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Simmons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-123, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/25/2008	Signature C Sommers	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you a	re
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 54 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: <u>Aug 7-2008</u>
Address
15 NY JO LN

ESTATE OF DONA D SPAGNOL

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: HER HUSBAND

(Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 55 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: MAY 29 2008

Signature

JOHN H SPAGNOL

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 56 of 113

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS U.S. DEPT. OF JUSTICE ENV. & NAT. RES. DIV.

DENVER, CO

Susan L. Schneider, attorney for the United States of America TO:

2008 DEC -8 PM 12: 51

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12/5/08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE of

(Title)

SPRING VALLEY TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 57 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Robert H Alaha bruster
Date: <u> </u>	Signature
	LERDY H STURKE + LOIS & STORKE FAMILY TRUST
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: of
	(Title)
	(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Casea3e7337	cw-00122FORMON-COOLDECTION TO THE PROPERTY OF	60 113 60 113 1 10 113 113 113 113 113 113 113 1
У <sub>1</sub>		RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	TRICT COURT NEVADA MAY 2 9 0000
3   4   5	INITED STATES OF AMERICA,  Plaintiff,  WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6 7 8	Plaintiff-Intervenor,  vs.  WALKER RIVER IRRIGATION DISTRICT,	SUBFILE NO. C-125-B
9	notice of Appearance and inte	ENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-p	proceeding in this case.
12	2. I am filing this document with the District	
13 14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 17	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu of
18	Susan I., Schneider	
19 20	United States Department of Justice	
21	P.O. Box 756 Littleton, Colorado 80160	
22	of the court	
23 24	CG or in the cornice of the	
25	u .	
26 27	b - and a mail address	
27		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	CIPATE, page 1 of 2

- 15	
1	Attorney:
2	
3	Address:
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5	
6	Phone Number:
	Fax Number:
7	
8	E-mail Address:
9	the same with the
.0	<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
11	to the bar of this court, admitted to participate in a case pro
L2	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by the
13	register as Filing Users of the System. Registration shall be in the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
14	Electronic Filing Frocedures (ICV. Aug. 24, 2000) at the
15	Robert HAtohe Trustee
16	(Signature)
17	LEROY H STORKE
18	FAMILY TRUST
19	(Printed or typed Name)
20	
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
	P.O. BOX 1103
24	YERINGTON-NV. 89447
25	(Address)
26	( <u>775) 463.4092</u> (Telephone number)
27	(1010phono namovi)
	n e e e e e e e e e e e e e e e e e e e

23 MAY 2008 PM 1 RENO NV 395

**电影员工十分工会员** 

OS, VIRGINIA ST. SUITE 30

PENO, NV. 89501

THE DIST, OF NEW

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 61 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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or to the jurisdiction or venue of the	Court except for objections based on a defect in the	Notice in Lieu of
Summons or in the service of the No	tice in Lieu of Summons.	, Notice in Lieu of
	Jan Sulto	
Date: 8 /1 / 108	Signature ormes / 5077	05
/	Printed/Typed Name	<del></del>
	If you are acting on behalf of any entity, id	entify that you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other e	 ntity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 62 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Suramons or in the service of the Notice in Lieu of Summons

Date: 8/11/08

Signature

13/1

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

of

(Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case@s#3-6	%~001277E <b>VTN/TD4</b> DSP35D1696ThRent 51F18	507/20 <del>381/0899335263 of 11</del>
		ENTERED SETVED ON COUNSEL PROTECTION
-		OUTFISCE PARTIES OF RECORD
1	IN THE UNITED STATES DIS	TRICT COURT 7 2008
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	NEVADA
3	UNITED STATES OF AMERICA,	CLESK US DISTRICT COURT DIGTRICT OF NEVEDA  BY:
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	VS.	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	, )
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE	
11	1 I hereby enter my appearance in this sub	-proceeding in this case.
12	2 Lam filing this document with the District Court at the following address and as	
13	directed on the Notice In Lieu of Summons:	
14	Chief Deputy Clerk United States District Court for the	
15   16	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am actin	g) will retain all defenses or objections
18	<b>: </b>	
19	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to	
21	represent me in these proceedings, I identify that attorn	
22	address, telephone number, facsimile number, and e-n	
23	attitiess, torophone names, and	
24	Attorney:	
25		
	Address:	
26	Addices.	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE (service), page 1 of 2

1	
1.	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	the death a bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the Officed States and its agencies, shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at 1.C.
3	
10	
11	
12	Priscilla J. Homfron (Signature)
13	(Signature)
14	Priscilathompson
15	(Printed or typed Name)
16	
17	
18	(Entity, if any, on whose
19	behalf you are appearing)  294 Sunset Hills Dr.
20	prington New 89497
21 22	/ (Address)
23	775 - 463 - 3059 (Telephone number)
24	(Telephone duminos)
25	
26	
2.7	
28	

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 65 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 5-30-2008

Signature Laura M. Thrailkill

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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# Case 3:78-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 66 of 113

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	JNITED STATES	OF AMERICA,	
4	Plai	ntiff,	
5	WALKER RIVER		) IN EQUITY NO. C-125
6		ntiff-Intervenor,	SUBFILE NO. C-125-B
7	VS.	······································	
8		IRRIGATION DISTRICT,	
9	a corporation, et al		
10	NOT	ICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1. I he	reby enter my appearance in this sub	e-proceeding in this case.
12		n filing this document with the Distri	
13			et Court at the following address.
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301		
16	Reno, Nevada 89501		
17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
18	Summons, I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of America		
20	United States Department of Justice		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27	elephone number, facsimile number, and e-mail address:		ss:
28			
	NOTICE OF	APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2

### 3-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 67 of 113 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 E-mail Address: 8 9 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 10 electronic filing procedures of the U.S. District Court for District of Nevada. 11 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 12 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 13 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 14 15 16 (Signature) 17 18 19 (Printed or typed Name) 20 21 22 (Entity, if any, on whose behalf you are appearing) 23 24 25 (Address) 26 (Telephone number) 27

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 68 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 8-19-08

Signature

Joy M TIBBALS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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· . • • · .		ENTERED SERVED ON COUNSEL/PARTIES OF RECORD	
1		4110 0 5 0000	
2	IN THE UNITED STATES D	AUG 2 5 2008	
3	FOR THE DISTRICT O	P NEVADA  CLERK US DISTRICT COURT	
3 4	UNITED STATES OF AMERICA.	BY:DISTRICT OF NEVADA DEPUTY	
	Plaintiff,	)	
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125 B	
7	vs.	) }	
8   9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	) )	
10	NOTICE OF APPEARANCE AND INT	FENT TO PARTICIPATE	
11	<ol> <li>I hereby enter my appearance in this sub</li> </ol>	p-proceeding in this case.	
12	2. I am filing this document with the District Court at the following address:		
1.3			
14	United States District Court for the		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of		
:7	Summons, I am mailing a copy of this document to:		
18	Sugan I Schneider		
19	Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Divi P.O. Box 756	sion	
21	Littleton, Colorado 80160		
22	$\blacksquare$		
2:3			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acti		
26	me in these proceedings. I identify that attorney below	v, along with his or her mailing address,	
27	telephone number, and facsimile number:		
28			
ı	NOTICE OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2	

## Case 3 7 2 4 90 12 7 4 10 0 1 1 1 3

	N. C.	
1	Attorney:	
2		
3	Address:	
4		
5	1.	
6	Phone Number:	
7	Fax Number:	
8		Joy m dellals
9		(Signature)
10		- FOADIC
11		Joy M TIBBALS
12		(Printed or typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		
17		(Address)
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21		
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EN WOODERS PW SC

Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501

### Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 72 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

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- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/9/04

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Title)

Cornerate Trust Partnership or other entire

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 73 of 113

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Cora Touse	
Date: 9/12/08	Signature	
•	CORA TOWE	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

# Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

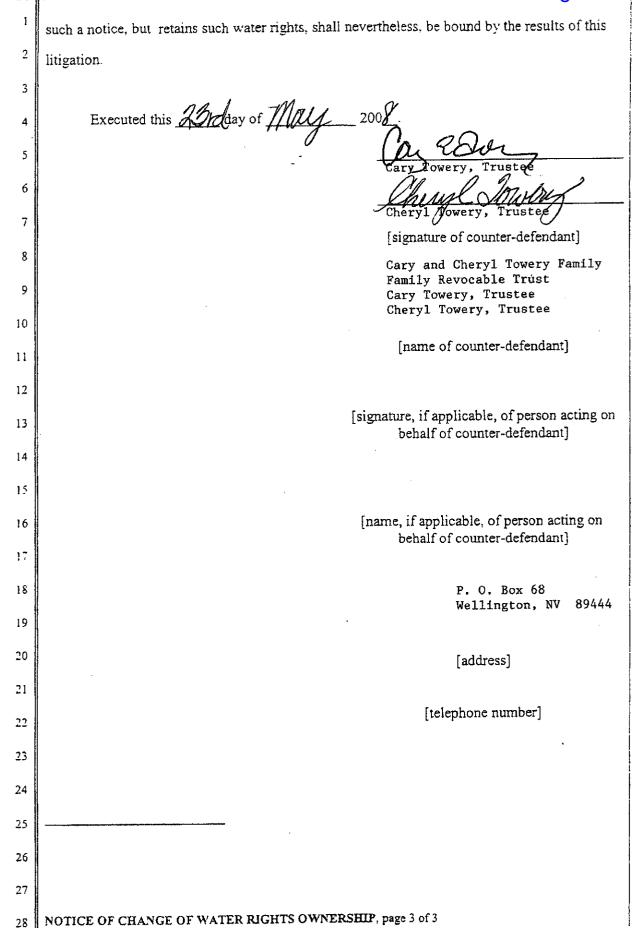
It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 2 3 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE DISTRICT OF NEVADA 7 UNITED STATES OF AMERICA. 8 Plaintiff. In Equity No. C-125-ECR 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF Plaintiff-Intervenor, OWNERSHIP OF WATER RIGHT 11 ٧. 12 WALKER RIVER IRRIGATION DISTRICT. 13 a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 17 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 22 1. The name and address of the party or parties who sold or otherwise conveyed ownership: Cary Towery and Cheryl Towery, Trustees of the Cary and Cheryl Towery Family Revocable Trust 24 Name(s) 25 P. O. Box 68 26 Street or P.O. Box 27 NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

# Case Cas 33: 120/e00127-ElVHVNDMCSDc. Document 5146112013122081/084Page 75 of 113

1			2777	89444	
•		Wellington	NV State		
2	7	Town or City	State	ZipCode	
3	2. The	,	•	or entity who acquire	d ownership
4		CATS INVE	ESTMENTS, LLC		
5			Name(s) P. O. Box 68		
6			Street or P.O. Bo	ox	
7		Wellington Town or City	n NV State	89444 ZipCode	
8		•			
	3. Attac	ched to or includ	ed with this notic	ce is a copy of the (che	ck appropriate
9	box(es)):				
10		₩ Deed			
11		☐ Court C	)rde <del>r</del>		
12		Other D	Document,		
13	by which the change	e in ownership w	as accomplished		
14		•		ny person or entity wh	o files a Notice of
		_	-	is ultimately respons	
15	_			ledges that any person	
16	,			,	, , , , , , , , , , , , , , , , , , , ,
!-		•			
18	e.x.				
19					
	*	This notice sha	ll be sent to the fo	llowing two persons:	
20		Lea Sharer, Chie			
21	400 S	outh Virginia Stre	Court for the Distri- et. Suite 301	ct of inenada	
22		, NV 89501			
23	<u>And</u>			•	E C
24		L. Schneider	me of Instina		
	P.O. I	d States Departme Box 756	in of Justice		,
25	Little	ton, CO 80160			
26					
27					And the second s
28	NOTICE OF CHANG	E OF WATER RIC	GHTS OWNERSHI	P, page 2 of 3	

# Case 3:43-13/c00127EbHADMCSDc. Deacustent Entitle d3/20/81/98 Page 76 of 113



\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

RECORDING REQUESTED BY AND MAIL TO:

Cary Towery
P.O. Box 68
Wellington, NV 89444
APN: 10-351-51

DOC # 422923
03/24/2008 00 23 pm
Official Record
Requested By
HICHBEL ROME
Lyon County - NV
Hary C Hilligan - Recorder

FRR \$16 00 RPTT

RPTT#7

GRADA BARGAIN, SALE DEED

THIS INDENTORE made the 21 day of March, Two Thousand Right (2008), for good and valuable consideration, the receipt of which is hereby acknowledged Grantor, CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHEEKL TOWERY FAMILY REVOCABLE FRANTOR), TRUST, u.t.d. 10/26/06 (hereinafte bargains and sells to CATS INVESTMENTS, LLC, a Nevada limited liability company (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor 10-351-51, commonly known as 99 Lower Colony Road, Welkinston, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 395245, as follows:

### SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

\*\*\* THIS IS AN UNOFFICIAL COPY \*\*\*

422923

03/24/2008 002 of 3

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 21 day of March, 2008.

GRANTORS:

CARY TOWERY Trustee Cary and Cheryl Towery Family Revocable Trust u.t.d. 10/2/06 CHERYL TOWERY, Trusted Cary and Cheryl Towery Family Revocable Trust u.t.d. 10/26/06

**EKNOWLEDGEMENT** 

STATE OF NEVADA

COUNTY OF DOUGLAS )

On March Z: , 2008 Defore me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

SONYA M. KOENIG NOTARY PUBLIC STATE OF NEVADA Appr Recorded in Douglas County My Appl Copines Jensery 31, 2012 No 00-80331-5

NOTARY EUBLIC

De

\*\*\* THIS IS AN UNDEFICIAL COPY \*\*\*

422923

03/24/2008 003 of 3

### EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 Bast, M.D.B. M.D. Lyon County, Nevada and more particularly described as follows:

Commencing at the center one quarter of Section 34, Township 11 North, Range 23 East,

M.D.B.&M; thence N9"

"Vea distance of 2, 488 12 feet (tie from Record Map No. 146629) to a

"pipe with plug stamped H. 3518 which is the TRUE POINT OF BEGINNING; thence

\$88°40'35"B a distance of 220 of feet to a %" pipe with plug stamped PLS 3519; thence \$88°57'20"E

a distance of 373 83 feet to a % pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of

88.48 feet to a %" pipe with plug stamped PLS 3519, thence \$88°07'40"B a distance of 85 82 feet to a

%" pipe with plug stamped PLS 3519; thence \$88°07'30"B a distance of 446.03 feet to a %" pipe with

plug stamped PLS 3519; thence \$85°48'38"B and the plug stamped PLS 3519; thence

N00°53'36"W along said west line a distance of 132 feet to a %" pipe with plug stamped RLS

4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap

stamped PLS 9393; thence N85°48'38"W a distance of 174.92 feet to a 5/8" rebar with cap

stamped PLS 9393; thence N85°48'38"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence N85°31'08"W a distance of 695 39 feet to a 5/8" rebar with cap stamped

PLS 9393; thence \$75°48'03"W a distance of 80.97% to a 5/8" rebar with cap stamped

PLS 9393; thence \$75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped

PLS 9393; thence \$75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.15 feet to a 5/8" rebar with cap stamped

PLS 9393; thence S61°43'50"W a distance of 87.00 fe

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE Legal description previously contained in deed recorded November 10, 2004 as Document No 335418

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 80 of 113

RECORDING REQUESTED BY AND MAIL TO:

RPT +17 Cary Towery P.O. Box 68 Wellington, NV 89444 DOC # 429279

07/23/2008 12 45 PM

Official Record

Requested By
ROWE & HALES LLP

Lyon County - NV
Many C Milligan - Recorder
Page 1 of 3 Fee \$16 00
Recorded By AT RPTT



# GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the \_/B day of July, Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CARY TOWERY and CHERYL TOWERY, (hereinafter GRANTORS) hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, Trustees of the CARY AND CHERYL TOWERY FAMILY REVOCABLE TRUST, dated: October 26, 2006 (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

# SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 81 of 113

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 18 day of July, 2008.

GRANTORS:

ARY TOWERY

CHERYL TOWERY

# A C K N O W L E D G E M E N T

STATE OF NEVADA

88.

COUNTY OF DOUGLAS )

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT
NOTARY PUBLIC
STATE OF NEVADA
Appt Recorded in Lyon County
My Appt Expires January 31, 2012
No. 95-0980-12

### EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/2" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a %" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/4" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 3/4" pipe with plug stamped PLS 3519; theace S88°07'40"E a distance of 85.82 feet to a %" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.93 feet to a %" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 3/2" pipe with plug stamped PLS 3519; thence N00°53'36"W along said west line a distance of 151.32 feet to a "" pipe with plug stamped RLS 4045; thence N00°44°06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of \$15°04'19'B, with a radius of 432.36 feet, through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19". an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No 244261

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 83 of 113 DOC # 429277

APN 1035151 RECORDING REQUESTED BY AND MAIL TO: 4 MAIL TAX STATEMENT TO,

Cary Towery P.O. Box 68 Wellington, NV 89444 07/23/2008 12 43 PM

Official Record

Requested By
ROME & HALES LLP

Lyon County - NV Mary C Milligan - Recorder Page 1 of 3 Fee \$16 00

Recorded By AT

RPTT



RPTT: #7

## GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 16 day of July, Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHERYL TOWERY FAMILY REVOCABLE TRUST, u.t.d. 10/26/06 (hereinafter "GRANTOR") hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, husband and wife as joint tenants (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

### SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 18 day of July, 2008.

GRANTORS:

CARY YOWERY, Trustee
Cary & Cheryl Towery Family Revocable Trust u.t.d. 10/26/06 Cary & Cheryl Towery Family

Revocable Trust u.t.d. 10/26/06

# ACKNOWLEDGEMENT

STATE OF NEVADA

SS.

COUNTY OF DOUGLAS )

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

KIM S. LEAVITT NOTARY PUBLIC STATE OF NEVADA Lapt Recorded in Lyon County Appt. Expires January 31, 2012 No 95-0980-12

### EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a 3/2" pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a 1/4" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/2" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 3/4" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of 85.82 feet to a 34" pipe with plug stamped PLS 3519; thence S88°09'35"E a distance of 446.03 feet to a 34" pipe with plug stamped PLS 3519; thence S85°48'38"R a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 3/4" pape with plug stamped PLS 3519; thence N00°53°36"W along said west line a distance of 151.32 feet to a %" pipe with plug stamped RLS 4045; thence N00°44°06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045; thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393; thence along a curve to the left, having a radial bearing of \$15°04'19'B, with a radius of 432.36 feet, through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point; thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03°19", an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING.

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 86 of 113

APN:103515]
RECORDING REQUESTED BY AND
MAIL TO: Y MAIL TAX STATEMENT
TO:

Cary Towery P.O. Box 68 Wellington, NV 89444 DOC # 429276

07/23/2008 12 42 PM

Official Record

Requested By
ROWE & HALES LLP

Lyon County - NV
Mary C. Milligan - Recorder
Page 1 of 3 Fee \$15 00
Recorded By AT RPTT



PD. Kox 2080 Minden NU 89423

RPTT:#7

# GRANT, BARGAIN, SALE DEED

THIS INDENTURE made the 18 day of July. Two Thousand Eight (2008), for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor, CATS INVESTMENTS, LLC, a Nevada Limited Liability Company (hereinafter "GRANTOR") hereby grants, bargains and sells to CARY TOWERY and CHERYL TOWERY, Trustees of the CARY and CHERYL TOWERY FAMILY REVOCABLE TRUST, u.t.d. 10/26/06 (hereinafter GRANTEE), and to the heirs and assigns of such GRANTEE forever, all of that interest of GRANTOR located in State of Nevada, County of Lyon, Assessor's Parcel No. 10-351-51, commonly known as 99 Lower Colony Road, Wellington, Nevada. Such conveyance to GRANTEE is more particularly described, and previously recorded as Document No. 422923, as follows:

### SEE EXHIBIT "A" ATTACHED HERETO

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness my hand this 16 day of July, 2008.

GRANTORS:

CARY TOWERY, MANAGER CATS INVESTMENTS, LLC CHERYL TOWERY, MANAGER CATS INVESTMENTS, LIC

# ACKNOWLEDGEMENT

STATE OF NEVADA

88.

COUNTY OF DOUGLAS )

On July 18, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARY TOWERY and CHERYL TOWERY known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

NOTARY PUBLIC

KIM S. LEAVITT

NOTARY PUBLIC

STATE OF NEVADA

Appl Recorded in Lyon County

My Appl. Expires Junuary 31, 2012

NO 95-0980-12

### EXHIBIT "A"

All that certain real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of land within the N ½ of Section 34 and the S ½ of Section 27 all in Township 11 North, Range 23 East, M.D.B.&M., Lyon County, Nevada and more particularly described as follows:

Commencing at the center one-quarter of Section 34, Township 11 North, Range 23 East, M.D.B.&M.; thence N9°14'22"W a distance of 2, 488.12 feet (tie from Record Map No. 146629) to a " pipe with plug stamped PLS 3519 which is the TRUE POINT OF BEGINNING; thence S88°40'35"E a distance of 220.64 feet to a 1/4" pipe with plug stamped PLS 3519; thence S88°57'20"E a distance of 373.83 feet to a 1/2" pipe with plug stamped PLS 3519; thence N32°41'44"B a distance of 98.48 feet to a 1/2" pipe with plug stamped PLS 3519; thence S88°07'40"E a distance of \$5.82 feet to a 34" pipe with plug stamped PLS 3519; thence S88"09'35"B a distance of 446.03 feet to a 14" pipe with plug stamped PLS 3519; thence S85°48'38"E a distance of 488.09 feet to a point on the west line of Lower Colony Road which is marked by a 1/2" pipe with plug stamped PLS 3519; thence N00°53°36"W along said west line a distance of 151.32 feet to a "" pipe with plug stamped RLS 4045; thence N00°44'06" W along said west line a distance of 174.92 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°48'38"W a distance of 670.15 feet to a 5/8" rebar with cap stamped PLS 9393; thence N85°31'08"W a distance of 695.39 feet to a 5/8" rebar with cap stamped PLS 4045: thence along a curve to the right, having a radial bearing of N63°30'50"W, with a radius of 85.96 feet, through a deflection angle of 53°58'07", an arc length of 80.97 feet to a 5/8" rebar with cap stamped RLS 4045; thence S75°48'03"W a distance of 87.13 feet to a 5/8" rebar with cap stamped PLS 9393: thence along a curve to the left, having a radial bearing of S15°04'19"B, with a radius of 432.36 feet. through a deflection angle of 13°11'51"; an arc length of 99.59 feet to a 5/8" rebar with cap stamped PLS 9393; thence S61°43'50"W a distance of 71.52 feet to a 5/8" rebar with cap stamped RLS 4045; thence N89°59'55"W a distance of 58.05 feet to a point, thence along a curve to the right, having a radial bearing of N76°10'00"W, with a radius of 1,334.67 feet, through a deflection angle of 2°03'19". an arc length of 47.88 feet to a point; thence S16°41'20"W a distance of 91.12 feet to a point; thence along a curve to the left, with a radius of 330.44 feet, through a deflection angle of 30°25'31" an arc length of 175.47 feet to a point; thence S88°40'52"E a distance of 103.81 feet to the TRUE POINT OF BEGINNING

Reference is hereby made to that certain Record of Survey to Support a Boundary Line Adjustment for Jeffrey and Sheri L. Peterson recorded in the Official Records of Lyon County, Nevada on February 9, 2000 as File No. 244261.

NOTE: Legal description previously contained in deed recorded November 10, 2004 as Document No. 335418

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 89 of 113

# WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

### TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2/27/08

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Their attorney

# Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-ev-00127-MMD-CSD Document 5 Filed 12/31/08 Page 90 of 113

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA, )
4	) Plaintiff,
5 ·	WALKER RIVER PAIUTE TRIBE, ) IN EQUITY NO. C-125
6	) Plaintiff-Intervenor, ) SUBFILE NO. C-125-B
7	vs.
8 9	WALKER RIVER IRRIGATION DISTRICT, ) a corporation, et al., )
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	
12	<ol> <li>I hereby enter my appearance in this sub-proceeding in this case.</li> </ol>
13	<ol> <li>I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:</li> </ol>
14	Chief Deputy Clerk United States District Court for the
15 16	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
18	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
19	
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney: Kurt Bonds
25	Alverson, Taylor, Mortensen + Sanders
26	Address: 7401 W. Charleston Blud.
27	Las Vegas, NV 89117
!	

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 91 of 113

1	Phone Number: (702) 384-7000
2	Fax Number: (702) 385 - 7000
3	E-mail Address: Kbonds @ alverson taylor, com
	D-Mail Flamess. MWILES C. Sec 233.
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
6	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro
7	hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
9	
10	
11	
12	Jun Bl
13	(Signature)
14	
15	Kurt Bonds
16	(Printed or typed Name)
17	Tri-State Motor Transit(o.
18	James Wingfield
19	(Entity, if any, on whose
20	behalf you are appearing)
	PO Box 113
21	(Address) Jophn, Mo 64802
22	800-238-8768
23	(Telephone number)
24	
25	
ا ء د	

# ase 3:73-cy-00127-MMD-CSD Document 5 Filed 12/31/08 Page 92 of 113 U.S. DEPT. OF ASSTICE ENV. & HAT. RES. DIV.

DENVER, CO WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 NOV 10 PM 1: 10
Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-2-08 Printed/Typed Name If you are acting on behalf of any entity, identify that you are (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

This was very confusing.

I found this
paper work to be
very confusing.
No phone# to contact
Someone for was
clarification was
clarification the
included in the
summons packet.
Summons packet.

### 1 DEHVER, CO IN THE UNITED STATES DISTRICT COUNTNOY 10 PM 1: 10 2 FOR THE DISTRICT OF NEVADA 3 INITED STATES OF AMERICA, 4 Plaintiff, 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 **VALKER RIVER IRRIGATION DISTRICT,** corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 lummons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 5. me in these proceedings, I identify that attorney below, along with his or her mailing address, 26

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

elephone number, facsimile number, and e-mail address:

27

28

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 95 of 113

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	E-mail Address:
9	
LO	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
Ll	electronic filing procedures of the U.S. District Court for District of Nevada.
L2	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
L3	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev.,
L4	Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
L5	Louil. Vacara
L6	
L 7:	(Signature)
L8	Lori C. Vaccaro
ا 9	Lori C Vaclaro (Printed or typed Name)
20.	(Times of types traine)
21	
22	(Entity, if any, on whose
23	behalf you are appearing)
24	
25	21 Simpson Irail-Welling (Address) NV 894.
26	775-465-2780
27	(Telephone number)

28

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 96 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/19/08

If you are acting on behalf of any entity, identify that you are acting as Trustee of the

# Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 97 of 113

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA, )
4	Plaintiff, )
5	WALKER RIVER PAIUTE TRIBE,  ) IN EQUITY NO. C-125
6	
7	Plaintiff-Intervenor, ) SUBFILE NO. C-125-B
8	vs.
9	WALKER RIVER IRRIGATION DISTRICT, ) a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	
13	<ol> <li>I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:</li> </ol>
14	Chief Deputy Clerk United States District Court for the
15	District of Nevada
16	400 South Virginia Street, Suite 301 Reno, Nevada 89501
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections
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19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing
22	address, telephone number, facsimile number, and e-mail address:
23	
24	Attorney:
25	
26	Address:
27	
28	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE (service), page 1 of 2

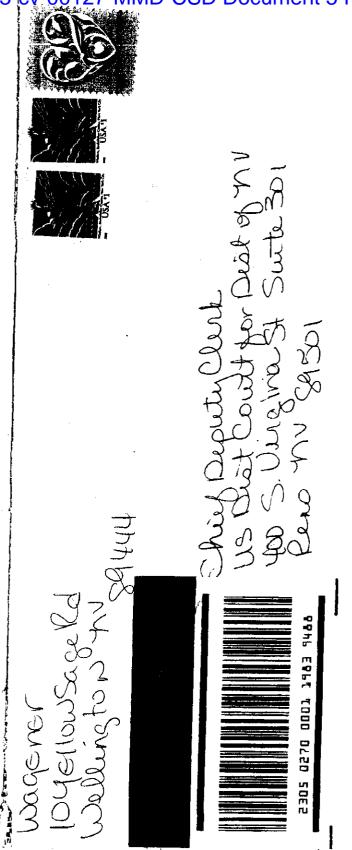
# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 98 of 113

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by
8 9	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
10	
11	
12	
13	(Signature)
14	1 Atherne Maglia
15	LATHERINE VAUGHAM
16	(Printed or typed Name)
17	
18	The state of the s
19	(Entity, if any, on whose behalf you are appearing)
20	
21	(4.11)
22	(Address)
23	(Telephone number)
24	
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Case 3:73	73-cv-00127-ECR-RAM Document 1428 Filed CV-00127-MMD-CSD Document 5 F	iled 12/31/08 Page 99 of 113
		ENTERED COUNSELPARTIES OF RECORD
1		GOUNTED ATTENDED
2	IN THE UNITED STATES DI FOR THE DISTRICT OF	STRICT COURSEP 1 9 2008
3	UNITED STATES OF AMERICA,	CLERK US DISTRICT COURT DISTRICT OF NEVADA
4	Plaintiff,	BY:DEPUTY
5	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
7	vs.	
8		<b>\</b>
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	}
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	<ol> <li>I hereby enter my appearance in this sub</li> </ol>	p-proceeding in this case.
12	and the state of t	
13	2. I am filing this document with the Distri- directed on the Notice In Lieu of Summons:	et Court at the following address and as
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301	
16	Reno, Nevada 89501	
17	3. I (or the entity on whose behalf I am actir	ng) will retain all defenses or objections
18	to the lawsuit or to the jurisdiction or venue of the court	t except for objections based on a defect
19,	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
20	4. If I (or the entity on whose behalf I as	m acting) have retained an attorney to
21	represent me in these proceedings, I identify that attorn	ey below, along with his or her mailing
22	address, telephone number, facsimile number, and e-n	nail address:
23		
24	Attorney:	
25		
26	Address:	
27		
28	· .	
2.0	NOTICE OF APPEARANCE AND INTENT TO PARTIC	TPATE (service), page 1 of 2
	I MOTICE OF WELFWENINGS WAS INTENT TO EXPERT	

# Case 3:73-cv-00127-ECR-RAM Document 1428 Filed 09/19/2008 Page 2 of 3 Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 100 of 113

1	Phone Number:
2	Fax Number:
3	E-mail Address:
4	
5	
6	
7	"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall
8	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
9	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
10	
11	M 1/1/0.
12	for guk wascan
13	(Signature)
14	mark Wagener
15	· Farbara Wagener
16	(Printed or typed Name)
17	
18	
19	(Entity, if any, on whose behalf you are appearing)
20	
21	
22	(Address)
23	(Telephone number)
24	
25	
26	
27	
28	



DISCLIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 1 of 4

# 

,	
1	water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once
2	owned before the undersigned was served with a Waiver of Service of Notice in Lieu of
3	Summons or by a Notice in Lieu of Summons, the undersigned provides the following
4	additional information:
5	1. The name and address of the party or parties who sold or otherwise conveyed
. б	ownership:
7	Name(s):
3	
9	Street or P.O. Box:
10	
11	T
12	Town or City.
13	
14	State:
15	
16	Zip Code:
27	2. The name and address of each person or entity who acquired ownership
18	Name(s): water rights, nor do me how. We merely have an option to
19	Namels): water rights, nor do we how.
20	We merely have an option to
21	Street or P.O. Box: purchase water nahls in
22	Town or Cire bein exercised. please inform
23	Town or Ciny I want of please inform
4	us where we need to be
5	Spie:
5	Respectfully Sevente Seaw Write
7	Zip Code: Andrea warte
8	775 463-1065
	DISCLAIMER OF WATER RIGHTS AND NOTICE OF RELATED INFORMATION, page 2 of 4

# Case<sup>C</sup>3:73/73/73-700127-Minrib\*CSD Doctument 5 Filed 12/31/08 Page 104 of 113

1	
2	3. Attached to or included with this notice is a copy of the (check appropriate
3	
4	box(es)):
5	
6	□ Deed
7	☐ Court Order
8	Other Document.
ġ,	
10	by which the change in ownership was accomplished.
11	4. The undersigned acknowledges that any person or entity who files a Disclaimer
	of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,
13	the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,
	in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of
.5	this litigation.
.6	<del>)</del>
~	Executed this 12 day of March 200 8.
. E	
9.	Swarte Som winter
O	Swall A A De Mala
3	I sold to miderate Correct
2	[signature of counter-defendant]
3	SEAN & Andrew Winte
4	724 N. esegen St.
6	[name of counter-defendant]
7	
8	



13 MAR 2008 PM 1 L

RENO NV.895

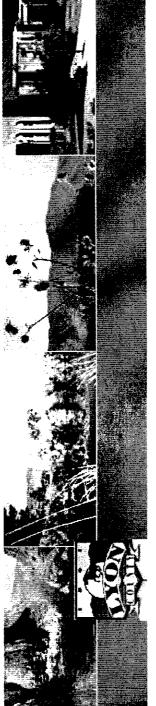
THINK, SPEAK TO KEND,
John Adams, 17

poweralthelet
and the let

Linde Lea Sharer chief claude
U.S. Distaict Court for NV
400 5. Virginia ST. Suite 301

Parks = 700 8950 | Middle Middle

Assessor Data Inquiry - Secured Property Detail



Assessor Home

Personal Property

Secured Tax Inquiry

Sales Data

Back to Search List

Case 3:73-cv-00127-MN

# Parcel Detail for Parcel # 014-212-02

Add'l Addresses Location Property Location 20 PENROSE LN Town MASON VALLEY Subdivision Lot Block Property Name

Legal Description Assessor Maps

Acre.
Co.
Stories

Non-dwell Units 0

mprovements

MH Hookups 0

Single-fam Attached 0

Single-fam Detached

Wells 1

Ag Acres .000

Total Acres 4.190

Description

# Code Table Appraisal Classifications

Finished 67

Basement Sq Ft 0

Garage Sq Ft 0

Attch/Detch ue

Bldg Sq Ft 1,178

Septic Tanks 1

Mobile Homes 0 Multi-fam Units 0

Total Dwelling Units 1

Improvement Detail

Zoning RR1 Current Land Use Code 200

Re-appraisal Group 3

Orig Constr Year 1950

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Code Table
Code Table
Re-appraisal Year 2006
Weighted Year 88
Weighted Year 80
Output
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Document History

Ownership History

Vesting Doc#, Date 405247 04/26/07 Book/Page Map Document #s

Ownership

Mailing Address 724 N OREGON ST YERINGTON, NV 89447-0000 Assessed Owner Name WAITE, SEAN & ANDREA

Legal Owner Name WAITE, SEAN & ANDREA

http://www1.lyon-county.org:403/cgi-bin/asw102?Parcel=1421202

	Valuation	on	
	Working Year	Working Year Closed/Reopened Prior Year	Prior Year
	2009-10	Year 2008-09	2007-08
Land	16,220	16,220	15,750
Improvements	10,307	10,307	9,816
Personal Property	0	0	0
Ag Land	0	0	0
Exemptions	0	0	0
Net Assessed	26,527	26,527	25,566

Case 3.73	3veveleta75000000000000000000000000000000000000	FILED HEDELYED
		ENTERED SERVED ON COUNSEL/PARTIES OF RECORD
1	1	.111 1 4 2008
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	STRICT COURT
3		CLERK US DISTRICT COURT
4	UNITED STATES OF AMERICA,	BY:DEPUTY
5	Plaintiff,	) ) D. DOLETY NO. C 125
6	WALKER RIVER PAIUTE TRIBE,	) IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	) SUBFILE NO. C-125-B
8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	<b>)</b>
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	-proceeding in this case.
12	2. I am filing this document with the District Court at the following address and as directed on the Notice In Lieu of Summons:  Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
13		
14		
15		
16		
17	3. I (or the entity on whose behalf I am acting) will retain all defenses or objections	
18	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect	
19	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
20	4. If I (or the entity on whose behalf I am acting) have retained an attorney to	
21	represent me in these proceedings, I identify that attorney below, along with his or her mailing	
22	address, telephone number, facsimile number, and e-mail address:	
23		
24	Attorney:	
25		
26	Address:	
27		
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE (service), page 1 of 2

# Case 3:73-70-00127-00127-00127-000127

	<b>1</b>	
1	Phone Number:	
2	Fax Number:	
3	E-mail Address:	
4		
5	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.	
6	"A 44 over who are admitted to the har of this court, admitted to participate in a case pro	
7	hac vice, or who are authorized to represent the United States and its agencies, shall be in the form prescribed by	
8	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.	
9		
10	Thomas to hard	
11	Cy ce Stard	
12	(Sign store)	
13	(Signature)	
14	THOMAS H. WARD TRUSTE JOYCE WARD TRUSTE	
15	Toyce WARD / Kasir (Printed or typed Name)	
16	(1 Inted of types 1 tane)	
17		
18	THE WARD FAMILY TRUST	
19	(Entity, if any, on whose behalf you are appearing)	
20		
21		
22	(Address)	
23	(Telephone number)	
24		
25		
26		
27		
28		

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 110 of 113

### WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6/5/08

Signature Rosemary F. Weaver

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as: Truster of

(Title)

WILLIAM M WEAVER REVOCABLE TRUST

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 111 of 113

U.S. DEPTTOF JUSTICE ENV. & NAT. RES. DIV. WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS DENVER, CO

# 2008 NOV 3 Sustant L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-6-08

Signature

Lencth Brian Wood

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_\_\_ of

(Title)

(Corporate, Trust, Partnership or other entity)

# Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

# Case 3:73-cy-00127-MMD-CSD Document 5 Filed 12/31/08 Page 112 of 113

DENVER, CO WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

2008 NOV 13 AM 11: 05

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: //-3-08

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as. \_\_\_\_ (Title)

(Corporate, Trust, Partnership or other entity)

### Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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# Case 3:73-cv-00127-MMD-CSD Document 5 Filed 12/31/08 Page 113 of 113

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS CO

2008 DEC -1 PM 12: 01

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons,

Date: 11-23-08

gnature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

Title)

The Tom Woolde'dge Family TRUST

(Corporate, Trust, Partnership or other entity)
Thomas H. Wooldridge AND LYNN K. Wooldridge

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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